

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

DOMINION CITRUS, LTD., FRESH	:	
FRUIT S.A., AGRI SOUSS, EL BOURA,	:	CIVIL ACTION
GPA, LIMONA SOUSS, and PRIAGRUS	:	1:07-cv-00050-JJF
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
M/V BADRINATH, her engines,	:	
machinery, tackle, apparel, etc., AMER	:	
SHIPPING LTD., ASHWATER	:	
NAVIGATION CO., LTD., SEATRADE	:	
REEFER CHARTERING N.V., SEATRADE	:	
GROUP INC. and SEATRADE USA	:	
	:	
Defendants	:	

**RESTRICTED APPEARANCE AND VERIFIED STATEMENT OF RIGHT OR
INTEREST PURSUANT TO SUPPLEMENTAL ADMIRALTY RULES C(6) AND E(8)**

Ashwater Navigation Co., Ltd. ("Ashwater"), by and through its undersigned counsel, now appears pursuant to Rule E(8) of the Supplemental rules for Certain Admiralty and Maritime Claims ("Admiralty Rules"), solely for the limited purpose of defending the *in rem* claims asserted against the defendant vessel by the plaintiffs in this action, said appearance being expressly subject to Admiralty Rule E(8).

Having entered its restricted appearance, Ashwater hereby verifies its interest in the defendant vessel M/V BADRINATH (the "Vessel") pursuant to Rule C(6) of the Admiralty Rules and states that it was at the time of the filing of the Complaint herein, and is now, the true and *bona fide* registered owner of the Vessel. (See Verification attached hereto as Exhibit "A").

Ashwater prays to oppose and defend the *in rem* claims asserted by the plaintiffs against the Vessel and, by this restricted appearance, reserves each and every procedural and substantive right

and defense available in connection with said *in rem* claims and the arrest of the vessel afforded or existing under any law, by contract or in equity, including but not limited to the right to demand that the plaintiffs' Complaint be dismissed and/or the arrest of the M/V BARDRINATH be vacated.

Respectfully submitted,

PALMER BIEZUP & HENDERSON LLP

By: /s/ Michael B. McCauley

Michael B. McCauley (ID 2416)

1223 Foulk Road

Wilmington, DE 19803

(302) 594-0895

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Attorneys for Defendant,
Ashwater Navigation Co., Ltd.

Dated: February 22, 2007

**VERIFICATION OF STATEMENT OF RIGHT OR INTEREST
PURSUANT TO SUPPLEMENTAL ADMIRALTY RULE C (6)**

Michael B. McCauley, being duly sworn, deposes and says:

1. I am a partner in the law firm of Palmer Biezup & Henderson, LLP, counsel for Ashwater Navigation Co., Ltd, owner of the M/V BADRINATH, and I am authorized to make this affidavit on the owner's behalf.

2. I have read the attached Statement of Right or Interest and know the contents thereof, and the same is true and correct based upon my investigation and the information provided to me by the owners and operators of the vessel.

3. Pursuant to the provisions of 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd Day of February 2007.

PALMER BIEZUP & HENDERSON LLP

By: /s/ Michael B. McCauley
Michael B. McCauley (ID 2416)
1223 Foulk Road
Wilmington, DE 19803
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mccauley@pbh.com

Attorneys for Defendant,
Ashwater Navigation Co., Ltd.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that service of a true and correct copy of Restricted Appearance and Verified Statement of Right or Interest Pursuant to Supplemental Admiralty Rules C(6) and E(8) was made to the below-listed counsel on February 22, 2007 via United States First-Class Mail, postage prepaid, as follows:

Lee C. Goldstein, Esquire
615 W. 18th Street
P.O. Box 1957
Wilmington, DE 19802

Stephen J. Galati, Esquire
Mattioni, Ltd.
399 Market Street, Second Floor
Philadelphia, PA 19106

I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 22, 2007.

Respectfully Submitted,

PALMER BIEZUP & HENDERSON LLP

By: /s/ Michael B. McCauley
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